

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 and 5-8 are currently being amended. Support for the amendment to claim 1 can be found at least in Figures 2, 4, 5 and 8, and the description thereof. The amendments to claims 5-8 are to improve their form, without narrowing their scope. Claims 11-13 are being added. No new matter is being added.

This amendment adds and changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-13 are now pending in this application.

Allowable subject matter

Applicants appreciate the indication that claims 4-9 contain allowable subject matter.

Specification

The disclosure was objected to for an informality on page 7, line 21. The specification has been amended as suggested by the Office Action thus obviating the objection.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,750,923 to Haruta et al. ("Haruta"). Claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Haruta in view of U.S. Patent No. 5,058,693 to Murdock et al. ("Murdock"). Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1 is directed to a fuel vapor treatment device, and comprises "a baffle plate disposed in the casing and between the atmospheric air port and the filter, and

located generally parallel with a surface of the filter which surface faces the baffle plate so that atmospheric air introduced through the atmospheric air port strikes against the baffle plate to change its flow into a generally radial direction, the baffle plate being free of holes, wherein an annular space is formed around the baffle plate so that atmospheric air from the baffle plate flows through the annular space to the filter.” Thus, the baffle plate in the device of claim 1: (a) is generally parallel with a surface of the filter which surface faces the baffle plate so that atmospheric air introduced through the atmospheric air port strikes against the baffle plate to change its flow into a generally radial direction, and (b) is free of holes.

The baffle plate as recited in claim 1 with features (a) and (b) has structure, and function resulting therefrom, not disclosed or realized by Haruta and Murdock. Due to the features (a) and (b), the entire amount of atmospheric air flowing from the atmospheric port strikes against the baffle plate, which changes its flow direction into a generally radial direction, while at the same time no atmospheric air passes through the baffle plate because no holes are formed in the baffle plate. This function of the baffle plate structure provides that most dust contained in the atmospheric air can be securely removed prior to entering the filter. This effectively prevents the filter from being partially clogged with dust. Neither Haruta nor Murdock suggests the baffle structure as recited in claim 1, nor the effect of its resulting function.

Haruta discloses a canister including a diffusing plate 15 disposed in a casing 1 and between an atmospheric air port 11 and a filter 6. Haruta also discloses modified examples of the diffusing plate in Figs. 5-8 as diffusing plates 21 and 27.

Haruta, however, fails to disclose a baffle plate with the features as recited in claim 1. The diffusing plates 15, 21 and 27 are not parallel with the surface of the filter 6 facing the plates. Moreover, the diffusing plates of Haruta all have holes therein, in contrast to the baffle as recited in claim 1. Still further, because of the structure of the diffusing plates of Haruta, atmospheric air flowing from the atmospheric air port slides along the inclined surface of the diffusing plate and is not changed in its flow direction into a generally radial direction. This allows dust in the atmospheric air to directly reach at least the peripheral

portions of the filter 6. Moreover, a portion of the atmospheric air flowing from the atmospheric air port pass through the through holes in the diffusing plate, so that dust in the passed atmospheric air directly reaches the filter. Thus, the design of the Haruta diffusing plates will allow its filter to be partially clogged with dust.

Moreover, it would not have been obvious to one skilled in the art to have modified the Haruta device to arrive at the device as claimed in claim 1. The purpose of the Haruta diffusing plates 15, 21 and 27 are merely to uniformly diffuse atmospheric air. Harata does not suggest that its diffusing plates 15, 21 and 27 should be designed to prevent dust to its filter. Thus, there is no suggestion to modify Haruta to arrive at the device as claimed in claim 1, and one skilled in the art would not have done so.

Murdock was cited for other features of the claims, and fails to cure the deficiencies of Haruta.

The dependent claims are patentable for at least the same reasons as claim 1, from which they all ultimately depend, as well as for further patentable features recited therein.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for

such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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